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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1647

PATENT
2121-0140P

RECEIVED

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MELKI et al. Conf.: 3158
Appl. No.: 09/109,082 Group: 1647
Filed: July 2, 1998 Examiner: R. Hayes
For: SPINAL MUSCULAR ATROPHY DIAGNOSTIC
METHODS

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

March 13, 2002

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated September 13, 2001 of the Primary Examiner finally rejecting claims 21, 23, 30-34, 36 and 40-65.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on February 13, 2002. Thus a fee of \$520.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

03/14/2002 JADDO1 00000025 09109082

01 FC:119
02 FC:117

320.00 OP
520.00 OP

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$320.00

Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$840.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check(s) in the amount of \$840.00 is/are enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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